

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

E.I.C.,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. 4:25-cv-21-CDL-AGH
	:	28 U.S.C. § 2241
DEPARTMENT OF HOMELAND	:	
SECURITY,	:	
	:	
Respondent.	:	

ORDER

On June 24, 2025, Respondent filed a second Motion to Dismiss Petitioner’s application for habeas relief (ECF Nos. 15, 1).¹ Under the procedures and policies of this Court, motions to dismiss are normally decided on briefs. The Court considers the pleadings and the petition in deciding whether dismissal is appropriate. The parties may submit their argument to this Court by filing briefs in support of or briefs in opposition to said motions. Petitioner should respond to Respondent’s second Motion to Dismiss in accordance with this Order.

The law provides that the party against whom dismissal is sought must be given ten (10) days’ notice of the dismissal rules. In addition, the party upon whom a motion to dismiss has been filed has the right to file a brief in opposition to a motion to dismiss. If he fails to file a brief in opposition to the motion to dismiss, a final judgment may be rendered against him if otherwise appropriate under law.

¹ The Court ordered Respondent to supplement the second motion to dismiss, which Respondent then filed (ECF Nos. 16, 17).

FAILURE OF PETITIONER TO RESPOND TO AND REBUT THE LEGAL ARGUMENTS SET FORTH IN RESPONDENT'S BRIEF MAY RESULT IN SAID STATEMENTS BEING ACCEPTED AS UNCONTESTED AND CORRECT.

The Court could grant judgment to Respondent and there would be no hearing or further proceedings regarding this case. Accordingly, Petitioner is notified of his right to file a response to Respondent's second Motion to Dismiss. Any such response should be filed within thirty (30) days of the date of this Order. Thereafter, the Court will consider Respondent's second Motion to Dismiss and any opposition to same filed by Petitioner and issue its ruling thereon.

SO ORDERED, this 27th day of June, 2025.

s/ Amelia G. Helmick
UNITED STATES MAGISTRATE JUDGE